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November 1, 2006

BY ELECTRONIC FILING

The Honorable Gregory M. Sleet
U.S. District Court
District of Delaware
844 N. King Street
Lockbox 19
Wilmington, DE 19801

Re: *Pagonakis v. Express LLC, Case No. 06-027 (D. Del).*

Dear Judge Sleet:

In anticipation of the discovery conference scheduled for November 2, 2006 at 11:30 a.m. in the above-captioned matter, Plaintiff Paula Pagonakis submits the following items to be presented to the Court:

Plaintiff's Issues:

- Defendant's failure to produce responsive documents in response to Plaintiff's First Set of Requests for Production of Documents to Defendant.
- Defendant's failure to provide dates for depositions of defense witnesses and failure to supplement its Initial Disclosures and notify Plaintiff that several defense witnesses are no longer employees of Defendant
- Defendant's failure to respond adequately to Plaintiff's First Set of Interrogatories.
- Defendant's failure to timely object to Plaintiff's First Set of Requests for Production of Documents and Plaintiff's First Set of Interrogatories to Defendant.

Defendant's Issues:

- Plaintiff's unwillingness to abide by the agreements reached between counsel during a conference call held on October 26, 2006;
- Plaintiff's failure to meet and confer on the one outstanding discovery issue that remains unresolved – Interrogatories Numbers 3 and 5; and
- If the Court finds that Plaintiff has satisfied her meet and confer obligations on Interrogatories 3 and 5, whether Defendant's objections should be sustained.

Respectfully,

/s/ Gary W. Aber

Gary W. Aber

GWA/mac